

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 69751

Myrtle Lawson  
Wilma J. Garner  
1642 Hillwood Drive  
Apartment G-7  
Knoxville, Tennessee 37920

210 Cleveland Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 8, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310 A, failure to remove trash from rear of property by the alley, failure to remove debris on property zoned DR 3.5 known as 210 Cleveland Avenue, 21222.

On November 16, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 15, 2009 for removal of trash and debris from the front, rear and alley behind this commercial building. This Citation was issued on November 16, 2009.

B. Photographs in the file show junk and debris piled up against the wall of this commercial building, including scrap lumber and sections of fencing, old carpet, and bagged and piled trash and garbage. This violates prohibitions against the accumulation of junk, trash and debris, and prohibitions against creation of possible harborage for rats.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violation is corrected within the time provided below. If the violation is not corrected, the County will be authorized to remove the junk, trash and debris, at Respondents' expense.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$200.00 (two hundred dollars) if the violation is corrected by January 5, 2010, with all trash, junk and debris removed from the premises.

IT IS FURTHER ORDERED that after January 5, 2010, the County may enter the property for the purpose of removing all junk, trash and debris, at Respondents' expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17<sup>th</sup> day of December 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf